

**REMARKS**

In the Office Action mailed June 10, 2003, claim 6 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which applicant regards as the invention; claims 1-2, 7-8, 11-13, 16-17, and 20-26 were rejected under 35 U.S.C. § 102(b) as being anticipated by Leville et al. (International Patent Application WO 98/21713); and claims 3-6, 9-10, 14-15, and 18-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Leville et al. in view of Ukai et al. (U.S. Patent No. 5,137,379). The foregoing rejections are respectfully traversed.

In accordance with the foregoing claims 6,-12, 13, 14, 16, 17, 18, 19, 20, and 23-26 have been amended. Claims 21 and 22 have been canceled. Claims 1-20 and 23-26 are pending and under consideration.

Claim 6 is amended, taking the Examiner's comments into consideration. Withdrawal of the rejections of claim 6 under 35 U.S.C. 112(2) is respectfully requested.

In the present invention, a purchase history is stored for each client. For example, with respect to goods M and goods N, the total purchase amount of goods M is used to determine the price of goods M, but the total purchase amount of goods M is not used to determine the price of goods N or other goods. In the present invention, the purchase history is used to discount the price of the goods for the same type of the goods. For example, as shown in Fig. 5 of the present application, Purchase Record of B System Co. and Ming-Cho Type is not used to calculate the price of B System Co. and Gothic type.

That is, as recited in claims 1-20, and 23-26 of the present application, in the present invention, a purchase history is stored for each client with respect to goods M and goods N, though the total purchase amount of goods M is used to determine the price of goods M, the total purchase amount of goods M is not used to determined the price of goods N or other goods.

WO 98/21713 (Leville) discusses, in the abstract and on pages 7-9, and 13-16 thereof, determining discount information for a specific consumer (based upon profitability and volume, and across brands). Although the Examiner appears to imply in the Office Action that the host computer (10) of Leville discusses a first calculating unit calculating the number of elements

belonging to a range to which the read at least one unit is applied, Leville discusses (beginning with line 5 on page 7 through line 3 on page 8 of Leville) that the host computer 10 provides information and processing relative to promotion, targeting, management, and analysis. More particularly, Leville, page 7, at lines 12-18 discusses that promotion targeting is based upon behavior patterns according to "shopping frequency, items purchased during shopping, product loyalty, number of items purchased during shopping, amount spent during shopping, receptiveness to other promotions previously offered, or any other information which is specified by a retail corporation or brand corporation".

Ukai ('379), which the Examiner relies upon as disclosing selling printer fonts as goods, discloses in the abstract, col. 2 at lines 5-7, col. 5 at lines 43-65, and col. 6 at lines 1-8, selling cartridges with different print control systems (different fonts) to users.

The combination of Leville and Ukai would be a host computer provides information and processing relative to promotion, targeting, management, and analysis used for selling cartridges with different fonts to users.

Neither Leville nor Ukai, either alone or in combination, discusses or suggests "calculating the number of elements belonging to a range to which the read at least one unit is applied" as recited in each of independent claims 1, 11, and 12 of the present application.

Likewise, neither Leville nor Ukai, either alone or in combination, discusses or suggests "receiving a price of the element to be purchased, which is calculated by using at least one unit of an element determined on the basis of the number of elements to be purchased and a range to which the unit is applied" as recited in each of independent claims 7 and 16 of the present application.

In addition, neither Leville nor Ukai, either alone or in combination, discusses or suggests "storing units of the variety of goods according to the quantity of goods and a range to which each unit is applied" or calculating "the purchase price of the goods to be purchased by obtaining the application range to which the goods to be purchased belongs".

Further, neither Leville nor Ukai, either alone or in combination, discusses or suggests "calculating a purchase price of the goods to be purchased for each type of the goods" as recited in each of independent claims 24-26 of the present application, or "receiving a purchase price of the goods to be purchased, which is determined on the basis of the purchase record of

the purchaser in the past for each type of the goods" as recited in independent claims 23 of the present application.

Moreover, dependent claims 2-6, 8-10, 13-15, and 17-19 recite patentably distinguishing features of their own. For example, claim 2/1 recites "a purchase record storing section" and "an addition section", wherein "the reading section reads at least one unit applied to the element to be purchased from the unit storage section by using a result of addition by the addition section".

Withdrawal of the foregoing rejections is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: Oct. 10, 2003

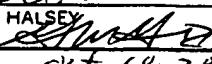
By: 

Gene M. Garner II  
Registration No. 34,172

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Oct. 10, 2003.

STAAS & HALSEY  
By:   
Date: Oct. 10, 2003